

REMARKS

The claims remaining in the present application are Claims 1-22. The Examiner is thanked for performing a thorough search. Claims 4 and 9 have been cancelled. Claims 1, 2, 5, 8, 10, 11 and 18 have been amended. No new matter has been added.

CLAIM REJECTIONS

35 U.S.C. §102

Claims 1, 6, 8, 13, 18, 20, 21 and 23

Claims 1, 6, 8, 13, 18, 20, 21 and 23 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,799,157 by Kudo et al. (referred to hereinafter as "Kudo"). Applicant respectfully submits that embodiments of the present invention are neither taught nor suggested by Kudo.

Independent Claim 1 recites,

An electronic processing bootup system comprising:

a bus for communicating information;

a processor coupled to said bus, said processor for processing said information;

a read only memory (ROM) emulation system coupled to said bus, said read only memory (ROM) emulation system for making boot up information available to said processor, wherein said read only memory comprises a NAND flash memory for storing said boot up information; and

a state machine for holding off said processor while assembling an instruction stream on the fly for retrieving said boot up information from said NAND flash memory and sending said boot up information to said processor.

The Office Action states that Claim 4 includes allowable subject matter. Claim 1 has been amended to include all of the limitations of Claim 4. Therefore, Claim 1 should be allowable. Independent Claim 18 should be allowable for similar reasons that Claim 1 should be allowable.

Independent Claim 8 recites,

An electronic processing boot up method comprising:

initiating an initial memory fetch;

performing a read only memory (ROM) emulation process, wherein said read only memory (ROM) emulation process comprises:

receiving a fetch request for information from a processor;
translating said fetch request into memory compatible
commands for retrieving said information from said processor;
holding off said processor while said information from said
processor is retrieved; and
forwarding said information from said processor in a format
compatible with a reply to said memory fetch; and
passing control to an operating system.

Independent Claim 8 has been amended to incorporate the limitations of Claim 9,
which was indicated as being allowable if rewritten in independent form. Therefore,
Claim 8 is allowable.

Claims 2-7 depend on Claim 1. Claims 9-17 depend on Claim 8. Claims 19-
23 depend on Claim 18. These dependent claims include all of the limitations of
their respective independent claims. Further, these dependent claims include
additional limitations which further make them patentable.

For example, the Office Action asserts that Kudo's external memory 30
teaches a "NAND flash memory," as recited by Claim 2. However, Kudo's element
30 is always referred to as only "external memory." Further, since Kudo does not
teach or suggest "NAND flash memory" Kudo cannot teach "a controller component
for generating commands for retrieving boot up information from said NAND flash
and forwarding said boot up information to said processor," as recited by Claim 2.
For similar reasons Kudo does not teach or Claims 12 and 19.

In a second example, the Office Action states with regards to the rejection of
Claim 13 "Inherently, handshake packets are used to perform a ready handshake
after transfer of a data or control packet to acknowledge successful receipt or
indicate unsuccessful receipt." However, this is a 102 rejection and the Federal
Circuit has ruled that a prior art reference must disclose each element of the
claimed invention "arranged as in the claims." Therefore, the dependent claims 2-7,
9-17 and 19-23 should be patentable for at least the reasons that their respective
independent claims should be patentable.


CONCLUSION

In light of the above listed amendments and remarks, reconsideration of the rejected claims is requested. Based on the arguments and amendments presented above, it is respectfully submitted that Claims 1-23 overcome the rejections of record. For reasons discussed herein, Applicant respectfully requests that Claims 1-23 be considered by the Examiner. Therefore, allowance of Claims 1-23 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicant invites the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

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Respectfully submitted,
WAGNER, MURABITO & HAO LLP



John P. Wagner Jr.
Registration No. 35,398

Address:

Westridge Business Park
123 Westridge Drive
Watsonville, California 95076 USA

Telephone:

(408) 938-9060 Voice
(408) 234-3749 Direct/Cell
(408) 763-2895 Facsimile